IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 17TH DECEMBER 2007 / 26TH AGRAHAYANA 1929

WP(C).No. 37156 of 2007(W)

PETITIONER:

K.G.JOHNSON, S/O. GEORGE,
AGED 42 YEARS, KOLLAMPARAMBIL, P.W.D. CONTRACTOR,
SULTHAN BATHERY, WAYANAD DISTRICT.

BY ADV. SRI.GEORGE MECHERIL

RESPONDENTS:
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1. **THE DEPUTY COMMISSIONER OF (APPEALS)**
   DEPARTMENT OF COMMERCIAL TAXES, KOZHIKODE.

2. **THE COMMERCIAL TAX OFFICER (WORKS**
   CONTRACT AND LUXURY TAX), WAYANAD AT KALPETTA.

3. **THE INSPECTING ASST. COMMISSIONER,**
   DEPARTMENT OF COMMERCIAL TAXES, WAYAND, KALPETTA.

BY GOVERNMENT PLEADER SRI. C.K.GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C) 37156 of 2007

Dated: December 17, 2007

JUDGMENT

It is stated by the petitioner that Ext.P4 appeal filed against Ext.P2 order of assessment has been heard by the Appellate Authority on 13.12.2007. While orders are awaited, revenue recovery proceedings have been initiated by Ext.P5 and it is in this background that this writ petition has been filed.

2. Now that the Appellate Authority has heard the appeal, it is only proper that further proceedings pursuant to Ext.P5 be deferred till orders are rendered on Ext.P4 appeal.

3. Accordingly I dispose of this writ petition directing that the 1st respondent shall pass orders on Ext.P4 appeal as expeditiously as possible, at any rate, within three weeks of production of a copy of this judgment. In the meantime, further action pursuant to Ext.P5 shall be deferred for a period

of four weeks from today.

Petitioner shall produce a copy of this judgment before the 1st respondent for compliance.

ANTONY DOMINIC
JUDGE

mt/-